

# Instructions for Completing Proof of Claim Form

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## Introduction

The instructions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.

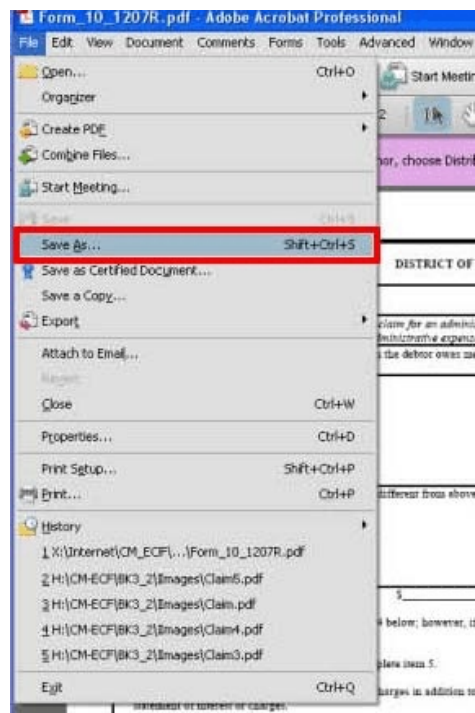
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## Using the on-line PDF Form

1. The on-line PDF form is easy to use. Simply type and tab between the fields.

2. To **SAVE** your completed claim form, select “**Save As**” under File on your main Adobe Menu.

Hint: Rename your file something that will be easy for to remember and retrieve when electronically filing.



## Items to be completed

STEP	INSTRUCTIONS										
<b>Name of Debtor and Case Number</b>	<p>Fill in the bankruptcy debtor's name, and the bankruptcy case number.</p> <p><u>Note:</u> If the creditor received a notice from the bankruptcy court, all of this information is located at the top of the notice.</p>										
<p>B10 (Official Form 10) (12/07) <span style="float: right;">Electronically file at: <a href="http://www.id.uscourts.gov">www.id.uscourts.gov</a></span></p> <table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">UNITED STATES BANKRUPTCY COURT</td> <td style="text-align: center;">DISTRICT OF IDAHO</td> <td style="text-align: center;">PROOF OF CLAIM</td> </tr> <tr> <td colspan="2">Name of Debtor: <span style="border: 1px solid black; display: inline-block; width: 300px; height: 1.2em; vertical-align: middle;"></span></td> <td>Case Number: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span></td> </tr> </table>		UNITED STATES BANKRUPTCY COURT	DISTRICT OF IDAHO	PROOF OF CLAIM	Name of Debtor: <span style="border: 1px solid black; display: inline-block; width: 300px; height: 1.2em; vertical-align: middle;"></span>		Case Number: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>				
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<b>Creditor Name and Address</b>	<p>Fill in the name of the person or entity filing the claim, and the address of the person who should receive notices issued during the bankruptcy case.</p> <p>A separate space is provided for the payment address if it differs from the notice address.</p> <p><u>Note:</u> The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).</p>										
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STEP	INSTRUCTIONS
<b>1. Amount of Claim</b>	<p>State the total amount owed to the creditor <i>on the date of the Bankruptcy filing.</i></p> <ul style="list-style-type: none"> <li>Follow the instructions concerning whether to complete sections 4 and 5.</li> <li>Check the box if interest or other charges are included in the claim</li> </ul>
<div style="border: 1px solid black; padding: 5px;"> <p>1. Amount of Claim as of Date Case Filed:      \$ _____</p> <p>If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.</p> <p>If all or part of your claim is entitled to priority, complete item 5.</p> <p><input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. <u>Attach itemized statement of interest or charges.</u></p> </div>	
<b>2. Basis for Claim</b>	<p>State the type of debt or how it was incurred.</p> <p><u>Examples:</u> goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, credit card, etc.</p>
<b>3. Number by which Creditor Identifies Debtor:</b>	<p>State <u>only the last four digits</u> of the debtor's account or other number used by the creditor to identify the debtor.</p>
<b>3a. Debtor may have Scheduled Account as:</b>	<p>Use this space to report</p> <ul style="list-style-type: none"> <li>a change in the creditor's name,</li> <li>a transferred claim, or</li> <li>any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.</li> </ul>
<b>4. Secured Claim:</b>	<p>Check the appropriate box and provide the requested information if the claim is fully or partially secured. Skip this section if the claim is entirely unsecured.</p> <ul style="list-style-type: none"> <li>State the type and the value of property that secures the claim.</li> <li>Attach copies of lien documentation.</li> <li>State annual interest rate and</li> <li>Indicate the amount past due on the claim as of the date of the bankruptcy filing.</li> </ul>

STEP	INSTRUCTIONS
<b>5. Amount of Claim entitled to Priority</b> <b>11 U.S.C. §507(a).</b>	<p>If any portion of your claim falls in one or more of the listed categories, check the appropriate box(es) and state the amount entitled to priority. (See Definitions).</p> <p>A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.</p>
<b>6. Credits:</b>	<p>A signature on this proof of claim serves as acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.</p>
<b>7. Documents:</b>	<p>Attach to the proof of claim form any redacted copies documenting the existence of the debt and of any lien securing the debt.</p> <p>You may also attach a summary.</p> <p>You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary.</p> <p>FRBP 3001(c) and (d).</p>
<b>Date and Signature:</b>	<p>The person filing this proof of claim must sign and date it. FRBP 9011.</p> <p>The District of Idaho ECF Procedures state that the signature may appear as <b>"/s/ name typed"</b>.</p> <p>The filer must also include the title, if any, of the creditor or other person authorized to file this claim.</p> <p>State the filer's address and telephone number <b>if</b> it differs from the address given on the top of the form for purposes of receiving notices.</p> <p>Attach a complete copy of any power of attorney.</p> <p>Criminal penalties apply for making a false statement on a proof of claim.</p>

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## Definitions

Debtor:	A debtor is the person, corporation, or other entity that has filed a bankruptcy case.
Creditor:	A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.
Claim:	A claim is the creditor's right to receive payment on a debt that was owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.
Proof of Claim:	A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.
Secured Claim under 11 U.S.C. §506(a)	<p>A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors.</p> <p>The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim.</p> <p>Examples of liens on property include a mortgage on real estate or a security interest in a car.</p> <p>A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien. A claim also may be secured if the creditor owes the debtor money (has a right to setoff).</p>
Unsecured Claim:	An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.
Claim Entitled to Priority under 11 U.S.C. §507(a).	Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

**Redacted:** A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information.

A creditor should redact and use:

- only the last four digits of any social-security,
- only the last four digits of an individual's tax identification, or
- only the last four digits of a financial-account number,
- the initials of a minor's name and
- only the year of any person's date of birth.

**Evidence of Perfection:** Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

**Acknowledgment of Filing of Claim:** At the completion of e-filing your claim, a Notice of Electronic Filing screen will appear. This is your receipt or confirmation that the claim was received and filed by the court.

You may also access the court's PACER system for a small fee to view your filed proof of claim.

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## **Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact a creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or as communications from the debtor. These entities do not represent the bankruptcy court or the debtor.

The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.), and any applicable orders of the bankruptcy court.